

# EXHIBIT E

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

RILEY GAINES, <i>et al.</i>	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Case No. 1:24-cv-01109-MHC
	)	
NATIONAL COLLEGIATE	)	
ATHLETIC ASSOCIATION, <i>et al.</i>	)	
	)	
Defendants.	)	

**DECLARATION OF MACY PETTY**

I, Macy Petty declare as follows:

1. I am a resident of the United States, an adult over the age of eighteen, and am competent to testify and have personal knowledge of the facts stated in this declaration.

2. I am a Class of 2024 graduate of Lee University in Cleveland, TN, which is a Division II member institution of the National Collegiate Athletic Association (NCAA).

3. While at Lee University I competed for the varsity women's volleyball team.

4. I am signing this declaration to record the hostile treatment and backlash that I encountered when I openly opposed transgendered male-to-female athletes participating in women's sports.

5. I do not hold any personal animus towards transgendered persons, but I do hold the belief that transgendered male-to-female athletes should not participate in women's sports on the grounds of inherent unfairness due to the physical advantages of male-bodied individuals—particularly those who have experienced puberty as a male.

6. During my recruitment process in high school for collegiate volleyball, I played against a biological male on a girls' team.

7. At the time, I assumed the sanctioning body USA Volleyball (USAV), would correct the mistake and would not allow what I view as obvious competitive unfairness. However, this did not occur.

8. Performing well in this event was very important to me because the stakes were high, my eventual volleyball scholarship paid a significant amount of my tuition.

9. During my freshman year of college, I began speaking out about women's sports issues.

10. Since expressing my opinions about the importance of protecting a level playing field in women's sports, I have been subjected to various forms of hostility and harassment from people I was friends with previously, students, and social media posters.

11. When I first made my opinions known on social media, as an 18-year-old college Freshman, several high school friends denounced me and disassociated with me.

12. I testified twice about women's sports issues to the South Carolina legislature and my opinions regarding protecting women's sports drew attention after Lia Thomas won a swimming national championship my sophomore year.

13. On August 7, 2023, I joined Riley Gaines and Paula Scanlan (a former college teammate of Lia Thomas) in Texas for the signing of Texas' save women's sports bill. There was a large protest outside that soon got violent including screaming at young girls, throwing things, and spitting on attendees. We were kept inside, but I watched this occur from the windows.

14. A news channel covered the aftermath, gathering videos and quotes, *See **Ex. 1***. I observed the hostility of the protestors and heard the protestors chanting "racist, sexist, anti-trans, you have blood on your hands." I spoke with a woman shortly after she was spat upon by the protestors. Due to concern for our physical safety it was necessary for the police to escort us out a back entrance and drive us to our cars.

15. For the last two years I have repeatedly received negative and hostile messages on social media. I have blocked most hostile posters and deleted their messages.

16. However, I have saved a few examples:

- a. “You’re a Nazi and pedophile” (**Ex. 2**);
- b. “why do you want to inspect the genitalia of little girls” (**Ex. 3**);  
and
- c. “Lying worthless Nazi skum” (**Ex. 4**).

A true and correct copy of each of these messages from the social media app Instagram and X is attached hereto as **Exhibits 2, 3, and 4**, respectively.

I verify under penalty of perjury that the foregoing is true and correct.

Executed on June 10, 2024.

  
\_\_\_\_\_  
Macy Petty

# EXHIBIT 1

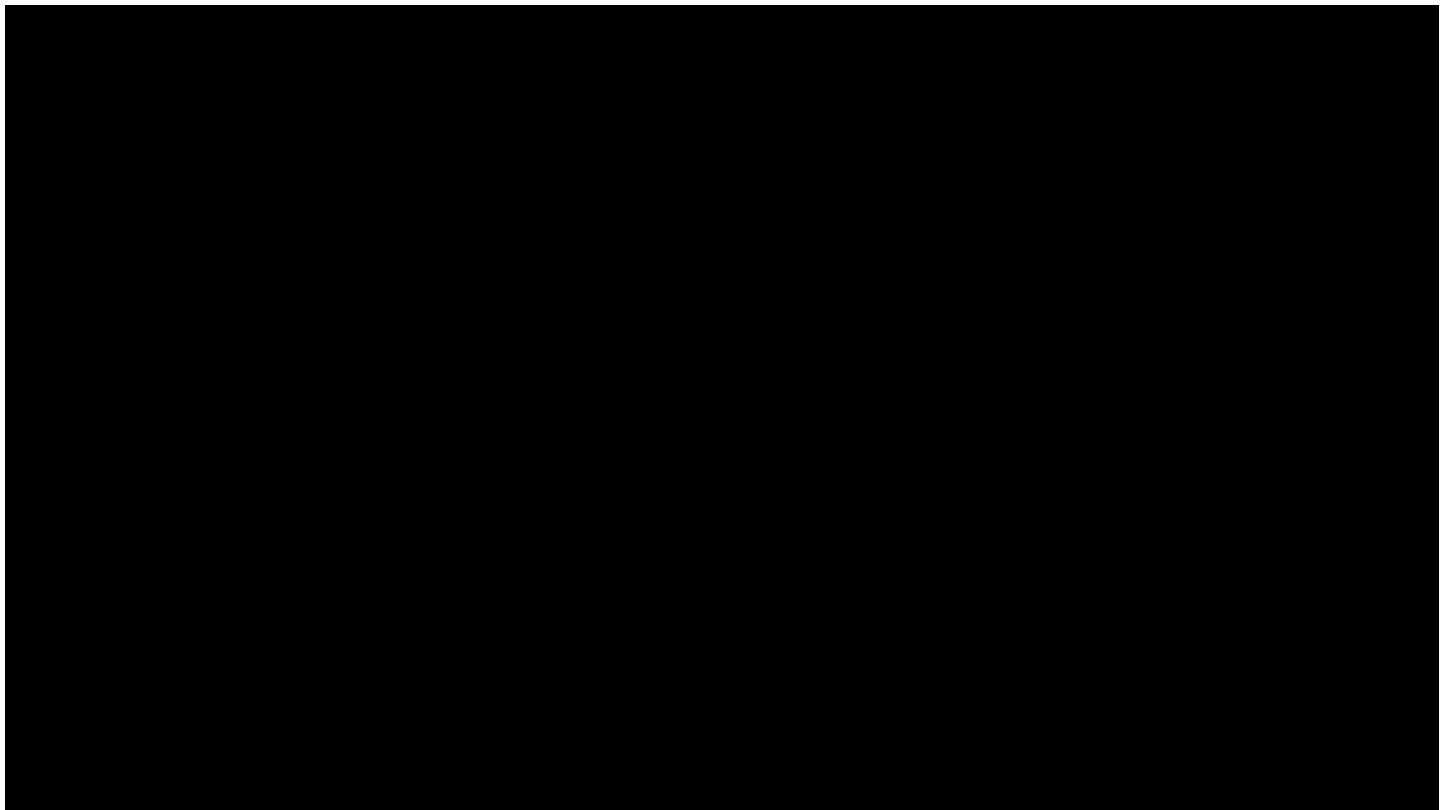
# Women's sports activists attacked by 'unhinged' leftist protesters: 'Spit in my eye'

Protesters blasted for hostile behavior against Texas' 'Save Women's Sports Act'



By **Madeline Coggins** **Fox News**

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## Activists for women's sports attacked by protesters at signing of Texas' 'Save Women's Sports Act'

Independent Women's Network chapter leader Michelle Evans and NCAA athlete Macy Petty tell Fox News' Ainsley Earhardt about attacks they witnessed during the signing of Texas' 'Save Women's Sports Act.'

Activists and female athletes said Tuesday they were targeted by leftist protesters at the signing of Texas' "Save Women's Sports Act," including being spit on, cursed out and having bottles hurled at them.

"They yelled at me, screamed profanities at me, and then as I was walking to reenter the building, they stood in my way, pushed me, hit me, threw water on me, and then one

protester spit into my left eye," Independent Women's Network chapter leader Michelle Evans said Tuesday on ["Fox & Friends."](#)

Evans was joined by college volleyball player Macy Petty, sharing their eyewitness accounts of the aggressive behavior.

Petty, who attends Lee University in Tennessee, said the group, along with OutKick's Riley Gaines were kept inside because of the danger posed by the protesters.

**NE-YO REVERSES 'PUBLICIST'S' APOLOGY FOR COMMENTS AGAINST ALLOWING KIDS TO TRANSITION: 'THIS IS HOW I FEEL'**

"We were told that it wasn't safe outside because they were completely unhinged, to be honest, as we could see, as they were spitting on people. They were calling us sexist, which frankly doesn't make sense because we're the only ones who acknowledge that sex even exists. They call us racist, which didn't make sense, completely unrelated, and they were calling fifth-graders and third-graders transphobes. It was absolutely ridiculous," she told host Ainsley Earhardt.

Texas Gov. Greg Abbott was joined by former NCAA Division 1 athletes [Riley Gaines](#) and Paula Scanlan at the Texas Women's Hall of Fame at Texas Woman's University in Denton for a ceremonial signing of SB 15, which was previously signed into law in June.



SB 15 follows a similar piece of legislation Abbott signed in 2021 that requires public school teams through high school in the [state of Texas](#) "to be designated by students' sex assigned at birth."



At least 20 states have passed similar forms of legislation. SB 15 will go into effect in Texas on Sept. 1.

Evans, Petty, Gaines and Paula Scanlan were among those attacked during Monday's signing after protesters gathered in opposition of the act.

In a statement to Fox News Digital, Gaines also shared her observations of the protest.

"Even in the great state of [Texas], protesters have tried to find a way to smear the celebration of Governor Abbott signing SB 15 which protects female collegiate athletics. But they can't," Gaines, host of OutKick podcast "Gaines for Girls," told [Fox News Digital](#) in a statement.



Swimmer Riley Gaines was targeted by "hostile" protesters that gathered in Texas on Monday, August 7, 2023, in opposition of the "Save Women's Sports Act." (Independent Women's Voice/Michelle Evans)

Speaking of the protest, Gaines continued, "Bottles are being thrown, protesters are spitting in people's faces, profanity is being yelled at children. Law enforcement has stepped in and provided protection."

Protesters carried signs and flags while making their opposition known. One sign among the crowd read "Gregg Abbott hates women."

"I think that that's such a baseless claim. I think that he was celebrating women and women's achievement, [fairness in sports](#), privacy in our spaces," Evans said in response to the sign.

**TEXAS FAMILIES, DOCTORS FILE LAWSUIT CHALLENGING BAN ON GENDER  
TRANSITION TREATMENTS**

The issue of transgender athletes in women's sports has stimulated an intense debate.

"There's a reason that we have sex-based protections. We are equal, but we are not the same, men and women," Evans said.

"They claim that we are trying to solve a problem that doesn't exist, yet they get so fervent in their arguments and screaming to let them play. Well, you can't have it both ways. Trans kids, [trans athletes](#) are allowed to play. It's just they have to play on the team designated for their birth sex. That's about fairness. It's about privacy. It's about dignity."



Riley Gaines addresses the crowd at Madison Public Library in Madison, Alabama, Saturday August 5, 2023. This event is part of a reading tour of 300 libraries by Kirk Cameron which promotes books with Christian values. (Dana Mixer for Fox News Digital)

"We were there to speak on one issue, and that was fairness for women in sports," Petty said. "We believe that sports are separated based on sex for a reason, and that reason is biological truth. And to deny sex-based protections is going to eliminate the female category altogether because men are just better equipped for [certain sports](#), because they're taller, faster, stronger, and so on."

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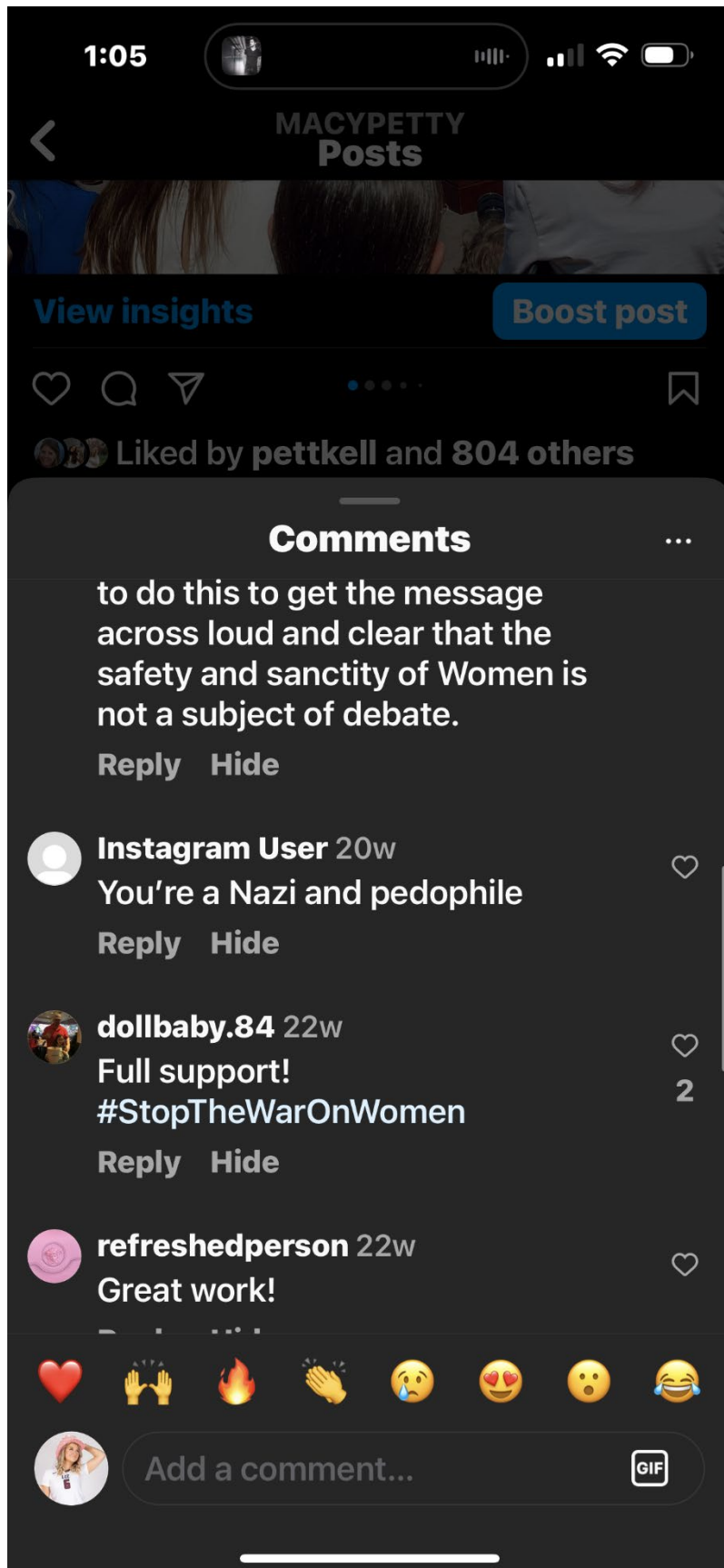
Despite the attacks, Evans explained she is "ready" to keep fighting for fairness in women's sports.

"It's always worth it to fight these battles. You have to go deep in the trenches if you're going to get anywhere in this war. And I'm ready for it."

*Fox News' Paulina Dedaj contributed to this report.*



# EXHIBIT 2



# EXHIBIT 3



# EXHIBIT 4



